

Agricultural Advisory Committee Meeting Minutes February 15, 2017

Attendees: Dennis Kamber, Ben Allnutt, Dave Weitzer, Doug Lechliden, Patrick Jamison, Peter Driscoll, Aliza Fishbein, Michele Cropp, Eleanor Leak, Linda Lewis

Staff: Jeremy Criss

- 1. Meeting called to Order at 7:09 pm and no Introductions were needed.**
- 2. Approval of the January 18, 2017 AAC meeting minutes.**

(Cropp/Lechliden)

3.ZTA 16-02 Agricultural Zone-Transferable Development Rights Requirements:

The MCFB, AAC, APAB, have provided comments supporting this MNCPPC staff draft ZTA that removes requirements for TDRs on dwellings that remain accessory to the farm. The OAG is monitoring the Planning Board agenda for this ZTA.

Last meeting, the AAC voted to draft a letter in support of the ZTA. Jeremy and Dave wrote the letter, the AAC approved it, and it was sent to Josh Penn at P&P. Jeremy is monitoring the planning board agenda for when it will come up. When asked if MAP has sent a letter, Jeremy responded that he had only seen a letter from APAB and MCFB. *Please note that Bob Cissel, Director of MAP provided a copy of their letter to MNCPPC dated January 18, 2017.*

4.The OAG Farm Coloring Book:

The Office of Agriculture and Linda Lewis (Lewis Orchards) are working together to create “A Year in Montgomery County Agriculture” - an educational coloring/activity book that will feature coloring pages created from actual photographs of Montgomery County farms. Please let us know if you would like your farm to be included. We would like to have them available for the County Agricultural Fair.

There are 15 farmers who have asked to participate in the coloring book. They will cut it off at the end of February so they can be done in time for the Fair.

5.Bill 37-16 Taxation-Development Impact Tax-Transportation and Public Schools:

The County Council approved Bill 37-16 and exempted Farm Tenant Dwellings from the Transportation Improvements component which totals \$21,822.

The tax rate for Child lot=\$22,654.

In response to a thank you letter from the AAC, Council Vice President Reimer and his staff contacted David Weitzer since he is currently requesting approval for a child lot for his daughter and her family.

The AAC letter included how Frederick County exempts farm lots for both children and grandchildren from their Development Impact Tax-David Gordon.

Since AAC's last meeting, Hans Riemer and his staff-Kathy Mitchell called Dave to discuss the status of a child lot that is being built in the hope that Hans would take another look

at the bill, and given what Frederick County has done to see if we can get an amendment to the bill for dwellings involving child lots. Dave is hopeful since they seemed interested.

6.MC 21-17 Sunday Deer Hunting and MC 10-17 Archery Safety Zone

The Montgomery County Delegation met last Friday and approved the Sunday Deer Hunting bill and the Archery Safety Zone Bill. Both bills will move to the Senate Delegation where they will also need to be approved. The MCFB met with many Delegates and Senators on Wednesday as part of Farm Bureau Day in Annapolis. The MCFB was successful in getting Senators Feldman, Manno and Zucker to support the Sunday deer hunting bill and MCFB met with Senator Kagan's Chief of Staff Justin Fiore. The DNR staff will support the proposed start and end times for 11 additional days of Sunday hunting.

Jeremy has been going to Annapolis for deer bills; there are two bills specific to Montgomery County.

- 1) The first bill (MC 21-17) is about adding 11 additional days of Sunday hunting (right now we have 3 full days of Sunday hunting). The farming community wants additional all day Sunday hunting. The president of the MD Horse Council has been pushing back, representing the equestrian community. The Farm Bureau has been negotiating a compromise to allow 11 additional Sunday hunting days ½ hour before sunrise to 10:30 am. The Land Use Transportation and Environment Committee had a split vote (3-3) so there was no recommendation to the County delegation on the House side. The three full days of Sunday hunting will stand, just will have partial 11 additional days. The equestrian community would not agree to any afternoon hunting.
- 2) The second bill was to reduce the safety distance for archery hunting from 100 to 50 yards. That bill is (MC 10-17).

Since the last AAC meeting, the Farm Bureau held its day in Annapolis. Looking to get Senate support for these bills, so when they go to the floors of their respective houses, the full House can pass the bill out of courtesy since it only affects the Montgomery County delegation. They were successful in getting Feldman, King, and Zucker to support the bills. They met with Kagan's staff and King who is the chair of the Senate delegation. Paula Linthicum and Bob Cissel have been working hard on behalf of MCFB and MAP in these efforts.

7.Meeting with the Secretary of DNR Mark Belton on Statewide Deer legislation:

The OIG, OAG and members of the County Delegation (Eric Luedtke, David Fraser-Hidalgo and Jim Gilchrist) met with DNR Secretary Mark Belton and DNR staff to discuss Statewide Deer legislation. The DNR agreed to begin a Bi-Annual review of hunting regulations this fall and consider extending the season to the end of February and one additional week of Shotgun for hunting deer. The DNR also said they would help to promote the County Deer Donation Program for hunters to take donated deer to K & S Kuts 12415 Prices Distillery Road Damascus, MD and cold box in Poolesville.

The statewide bills deal with deer hunting seasons. One bill is to extend the hunting season to the end of February (it currently ends at the end of January). The other bill is to add one more week of shotgun season during hunting season. Three delegates had a meeting with the Secretary of DNR, and Jeremy attended. DNR said they want to do whatever they can to

encourage any jurisdiction that wants to harvest more deer, and recognized that the new Sunday hours are unenforceable but they want to support them regardless. They agreed to help the county promote our deer donation program; this year we have a new location at K&S Kuts (or individuals can still donate at the cold box in Poolesville). Mark Belton is from Flemington, New Jersey that has higher deer collision numbers than Montgomery County!

Doug read a paragraph from the MD Bowhunter Society which is critical of the bills because they believe it will degrade the hunting experience in the state. They are opposed to farmers hunting. Jeremy explained that the reason farmers don't take enough advantage of deer management permits is because they are farmers, not hunters, and are busy farming. Farmers would need to hire agents to do the hunting for them, and it is hard to find people to do that. He concluded that it doesn't matter, from his perspective, when in the year the extra shotgun season is, but that it is the most effective way to control the deer population and should be supported.

8.MOUs between the County-OAG and the (MSCD and UM-Extension)

The OAG staff and County Attorney have reviewed and revised the MOUs between the County Government and the (MSCD and UM-Extension). We hope to have these MOUs executed to memorialize the partnerships between the agricultural agencies including the County funding used to support the agricultural agencies.

The Soil Conservation District has not had MOUs in the past, but one has been drafted and it will be in place soon. The County and UM-Extension have had several MOUs over the years and a new one with the OAG will be in place soon. With the revised edits from the County Attorney's office, the MOUs will be executed soon to memorialize the partnerships between these two agencies.

9.FY 18 Mandatory Savings Plan for the County OAG

In December 2016, the OAG was required to submit a 2% savings plan for the General Fund portion of the appropriation for FY18. Outlined below you will see the breakdown of how the 2% savings was applied to each of the agricultural agencies of the OAG.

MSCD	\$6,680	General Fund Operating Expenses
OAG	9,195	
UM-Extension	<u>4,055</u>	
Total	\$19,930	=2% of the General Funds allocated to OAG

The OAG is working with the OHR to discuss reclassifying the District Manager position. Summary of August 4, 2015 Letter from the Director of OHR. "With your position transferring to an entirely new County department, the Office of Human Resources will evaluate your duties and responsibilities within 6 to 12 months to determine if your current position, grade, and status are consistent with the work being performed in the new department." The MSCD requested the MSCD Manager Position-David Plummer be advised broadly and the OAG will start the process once the reclassification process is completed.

Jeremy will be meeting with the County Executive next week to go over the operating budget, including the 2% reduction the OAG was required to identify. He doesn't believe that

there will be a real impact of service; no staff is impacted. He is not sure how he would come up with any additional reductions if they ask for that in the future; it would surely impact staff.

The District Manager Position. The challenge is that there was a specific classification of jobs called business development specialists that was specific to DED. When OAG was created and DED was terminated, the employees got a letter that 6-12 months after the creation, there might be a reclassification of their jobs. It is easier to do a reclassification when there is no one in the position. Jeremy is currently trying to get the MSCD Manager job reclassified. John Zawitoski will function as the interim District Manager in addition to his other duties in his current position.

10. Minimum Wage Bill 12-16 See Attachment

The OAG has prepared a one-page summary of the minimum wage amounts for the County, State of Maryland and the Federal Government. Please see the draft AAC letter to the County Council that supports the County Executive's recommendation to exempt small business from the County minimum wage making sure that agricultural businesses are included.

The bill did pass 5-4; the scaled increase will go into effect. This was after the Executive vetoed the bill. It doesn't appear that there enough votes to override the veto, though the bill is listed on the Council website as "enacted."

As per the request from the last meeting, Jeremy did research on other jurisdictions' minimum wages. Prince George's County is trying to do the same thing that Montgomery is doing. This leads Jeremy to believe that other counties will follow what the state General Assembly is doing (Montgomery and Prince George's are the only counties with bills separate from what the state is doing). AAC's letter quoted Leggett in agreeing with him that the bill goes too far too quickly and that we think it will put the county at a competitive disadvantage to other counties and that agriculture needs to be included as a small business. The letter was submitted on 2/15/17.

11. Urban Agricultural Tax Credit Bill 31-16.

The Government Operations Committee recommended approval of Bill 31-16 that will make residential properties between ½ acre and 3 acres eligible for a 5year property tax credit providing the property is used for Urban Farming under the zoning code definition and more than \$5,000 is generated in income from farming. The Tax Credit may be 80% of the tax bill which includes the residence. The property owner may reapply for the property tax credit every five years. The OAG will determine eligibility and forward recommendations to the DOF to process the property tax credit.

The Government Operations Committee had a work session last week. The \$5,000 in total income from farming is twice the level for the current ag use assessment-\$2,500. Finance proposed a \$2,000 Tax Credit cap but the Council did not support a cap. It hasn't gone to the full County Council yet. Jeremy said the Urban Agricultural Tax Credit program will work like the fuel energy tax credit program where certified ag producers can get fuel energy tax credit at the residential rate.

12. Additional Item

Jeremy brought in a snapshot of what the new OAG website will look like. They have a calendar of events and have contracted with Doug Tregoning's daughter to manage OAG's social media. It will feature scrolling farms on the homepage with links to their websites with information about farm education and events (farm brewing, weddings, etc.) under ag education and ag tourism.

13. Adjournment-8:28 pm.

(Lechliden/Cropp)